

REMARKS

The Office Action mailed August 10, 2005, has been reviewed. Claims 1 through 30 are currently pending in the application. Claims 1 through 30 stand rejected. Applicants have amended claims 1, 13, 14, and 23 and canceled claim 2. Applicants respectfully request reconsideration of the application as amended herein.

Information Disclosure Statement(s)

The Office Action alleges that the information disclosure statement (IDS) filed February 26, 2004 fails to comply with 37 CFR 1.98(a)(3) for not including a concise explanation of the relevance of each patent listed that is not in the English language. Applicants note that no IDS was submitted for the present application on February 26, 2004 and that no IDS submitted for the present application contains a patent that is not in the English language. Accordingly, Applicants request that the Examiner point out the specific patent document for which an explanation of relevance is required and Applicants will be glad to supply such explanation.

35 U.S.C. § 103(a) Rejections

103(a) Rejection over EP000670195A1 in view of JP408174263A

Claims 1 through 30 stand rejected under 35 U.S.C. § 103(a) over EP000670195A1 in view of JP408174263A. Applicants have amended claim 1 (and claims dependent therefrom) to recite a range of UV absorbing material. To the extent the rejection still applies to the amended claims, Applicants respectfully traverse.

To establish a *prima facie* case of obviousness under 35 U.S.C. §103(a), it must be shown that: 1) the prior art references teach or suggest all the claim limitations, 2) there is suggestion or motivation to modify or combine reference teachings, and 3) there is a reasonable expectation of success. *See* MPEP 2143, 8th Edition, Revised February 2003, page 2100-124. Applicant respectfully submits that the Office Action does not make a *prima facie* case of obviousness because the prior art references do not teach or suggest all the claim limitations.

In particular, Applicants have amended claim 1 to recite a range of UV absorbing material from about 0.1 wt.% to about 25 wt. %. Neither EP000670195A1 nor JP408174263A teach or suggest such a range of UV absorbing material. Accordingly, the rejection under 103(a) has been obviated and Applicants respectfully request that such rejection be withdrawn.

103(a) Rejection over EP000670195A1 in view of JP408174263A and JP359090244A

Claims 21, 23-26, and 30 stand rejected under 35 U.S.C. § 103(a) over EP000670195A1 in view of JP408174263A and JP359090244A. Applicants respectfully traverse this rejection on the grounds that the Office Action does not make a *prima facie* case of obviousness because the prior art references do not teach or suggest all the claim limitations.

As noted above, claim 1 and claims dependent therefrom have been amended to recite a range of UV absorbing material from about 0.1 wt.% to about 25 wt. %. Neither EP000670195A1, JP408174263A, nor JP359090244A teach or suggest such a range of UV absorbing material. Furthermore, claims 23-26 and 30 are directed to microfluidic structures. As noted on page 12 lines 11-18 of the Specification, such microfluidic structures are designed to contain fluid. Neither JP408174263A, JP408174263A, nor the laser formation of holes in optical recording material disclosed in JP359090244A teach or suggest structures for containing fluid. Accordingly, Applicants respectfully request that the rejection under 103(a) be withdrawn.

Additional Amendments to the Claims

Claims 13 and 14 are amended herein to correct a typographical error by replacing “mn” with “nm”.

Claim 23 is amended herein to remove the limitation that the wavelength of laser light be from about 193 nm to about 355 nm.

ENTRY OF AMENDMENTS


The proposed amendments to claims 1, 13, 14, and 23 above should be entered by the Examiner because the amendments are supported by the as-filed specification and do not add any new matter to the application. Further, the amendments do not raise new issues or require a further search.

CONCLUSION

Claims 1 and 3 through 30 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicants' undersigned attorney.

It is not believed that any time extension or fees are required with this response. If this is incorrect, an extension of time as deemed necessary is hereby requested, and the Commissioner is hereby authorized to charge any appropriate fees or deficiency or credit any over payment to Deposit Account no. **50-1627**.

Respectfully submitted,


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